

COMPLETE LISTING OF CLAIMS

1. (currently amended) A gaming apparatus comprising:
 - (A) a housing, ~~the housing defining a display area;~~
 - (B) at least one indicium ~~configured to be displayed on the display area, the at least one indicium~~ representing at least one prize;
 - (C) a plurality of display characters, at least one of the plurality of display characters being configured to move, wherein ~~the at least one display character; movement of the at least one display character to a position relative to other display characters indicates the at least one indicium;~~
 - (a) comprises the at least one indicium appearing thereon; and
 - (b) is moveable between at least a first position and a second position; and
 - (D) a controller in communication with the at least one of the plurality of display characters and being configured to direct movement thereof, the controller being further configured to generate a random number and generate a game outcome based on the random number; wherein the controller is configured to move the at least one of the plurality of display characters to the second position ~~relative to other display characters to indicate display~~ the at least one indicium that corresponds to the game outcome.
2. (original) The gaming apparatus of claim 1, wherein the plurality of display characters are three-dimensional.
3. (original) The gaming apparatus of claim 1, wherein the at least one of the plurality of display characters is further configured to move in a choreographed manner.
4. (withdrawn) The gaming apparatus of claim 1, further comprising a light source in

communication with the controller, the light source being configured to illuminate the at least one indicium corresponding to the game outcome.

5. (withdrawn) The gaming apparatus of claim 1, wherein the at least one indicated indicium comprises at least one multiplier symbol.
6. (withdrawn) The gaming apparatus of claim 1, wherein the at least one of the plurality of display characters is configured to move in a substantially straight line.
7. (withdrawn) The gaming apparatus of claim 6, wherein the straight line is substantially vertical.
8. (withdrawn) The gaming apparatus of claim 6, wherein the straight line is substantially horizontal.
9. (original) The gaming apparatus of claim 1, further comprising at least one actuator coupled to the at least one of the plurality of display characters and in communication with the controller, wherein the controller is configured to cause the at least one actuator to move the at least one of the plurality of display characters.
10. (withdrawn) The gaming apparatus of claim 1, wherein the at least one indicated indicium appears on the at least one of the plurality of display characters.
11. (withdrawn) The gaming device of claim 10 wherein at least a portion of the plurality of display characters comprise a changeable prize display portion, wherein the at least one indicium is displayed on the changeable prize display portion of at least one of the portion of the plurality of display characters that indicates the at least one indicium corresponding to the game outcome.
12. (withdrawn) The gaming device of claim 10 wherein the at least one of the plurality of display characters is moveable between at least a first and a second position, wherein the

at least one indicium on the at least one of the plurality of display characters is hidden from a player when the at least one of the plurality of display characters is in the first position and the at least one indicium is viewable by the player when the at least one of the plurality of display characters is in the second position.

13. (withdrawn) The gaming apparatus of claim 1 wherein at least two of the plurality of display characters are configured to move and indicate indicia, wherein one of the at least two of the plurality of display characters indicates the at least one indicium representing the at least one prize and the second of the at least two of the plurality of display characters indicates an indicium representing at least one multiplier by which the at least one prize will be multiplied.
14. (withdrawn) The gaming apparatus of claim 1 wherein at least two of the plurality of display characters are configured to move and indicate indicia, wherein the game outcome is determined by a mathematical combination of the indicia indicated by the at least two of the plurality of display characters.
15. (withdrawn) The gaming apparatus of claim 1 further comprising a player input device in communication with the controller, the player input device allowing a player to at least partially control the movement of the at least one of the plurality of display characters or the at least one indicium.
16. (withdrawn) The gaming apparatus of claim 15 wherein the input from the player input device does not affect the game outcome.
17. (currently amended) The gaming apparatus of claim 1 wherein ~~the display area comprises~~ at least a portion of the at least one display character further comprises a changeable display area and the at least one indicium appearing on the at least one display character

~~is comprises indicia, wherein at least a portion of the indicia are displayed on the changeable display area.~~

18. (withdrawn) The gaming apparatus of claim 17 wherein the changeable display area comprises a plurality of light emitting diodes.
19. (cancelled) The gaming apparatus of claim 1, further comprises at least one prize display on the display area, wherein indicia are displayed on the prize display.
20. (withdrawn) The gaming apparatus of claim 19 wherein the prize display is changeable and configured to display a plurality of indicia.
21. (withdrawn) The gaming apparatus of claim 1 further comprising a speaker in communication with the controller, the controller adapted to cause the speaker to play music, the controller further adapted to move at least a portion of the plurality of display characters in conjunction with the playing of the music.
22. (withdrawn) The gaming apparatus of claim 1 further comprising a positioning mechanism, the positioning mechanism configured to detect the position of the at least one of the plurality of display characters.
23. (withdrawn) A gaming method comprising, but not necessarily in the order shown:
 - (A) allowing a player to place a wager on a gaming device comprising a plurality of display characters and at least one indicium;
 - (B) presenting a game to the player;
 - (C) randomly determining a game outcome;
 - (D) moving at least a first display character of the plurality of display characters;
 - (E) displaying at least a first indicium of the at least one indicium indicating the game outcome; and

- (F) positioning the at least a first display character to indicate the at least a first indicium.
24. (withdrawn) The gaming method of claim 23, wherein the at least a first display character is three-dimensional.
25. (withdrawn) The method of claim 23 further comprising:
- (A) allowing the player to provide input via a player input device; and
 - (B) moving at least one of the plurality of display characters in accordance with the player input.
26. (withdrawn) The method of claim 23 wherein at least one of the plurality of display characters is moved in a choreographed manner.
27. (withdrawn) The method of claim 23 wherein the at least one indicium further comprises a plurality of indicia and the gaming device comprises a changeable display area on which the plurality of indicia may be displayed, further comprising:
- (A) displaying the plurality of indicia on the changeable display area;
 - (B) moving the plurality of indicia on the changeable display area;
 - (C) stopping the plurality of indicia such that the at least a first indicium indicating the game outcome is indicated by at least one of the plurality of display characters.
28. (withdrawn) The method of claim 23, wherein the at least a first indicium indicated by the moveable indicator represents a prize, further comprising awarding the prize to the player.
29. (withdrawn) The method of claim 23, further comprising:
- (A) moving a second display character of the plurality of display characters;

- (B) displaying a second indicium of the at least one indicium indicating the game outcome;
 - (C) positioning the second display character to indicate the second indicium.
30. (withdrawn) The method of claim 29 wherein the at least a first indicium indicates a prize amount, the second indicium represents a multiplier, further comprising multiplying the prize amount by the multiplier to obtain a total prize.
31. (withdrawn) The method of claim 29 wherein the step of moving the at least a first display character further comprises moving the at least a first display character from a first position to a second position, wherein the at least a first indicium is hidden from the player when the at least a first moveable indicator is in the first position and the at least a first indicium is viewable by the player when the at least a first moveable indicator is in the second position.
32. (withdrawn) The method of claim 23, further comprising determining the position of the at least a first moveable indicator.

33. (currently amended) A gaming device comprising:
- (A) at least one display means for displaying a prize;
 - (B) a plurality of display character means, at least one of the plurality of display character means (a) comprising the at least display means appearing thereon and (b) configured to be moveable between at least a first position and a second position to a position relative to other display character means to indicate display the at least one display means; and
 - (C) controller means for controlling movement of the at least one of the plurality of display character means to the second position relative to other display character means to indicate display the at least one display means that corresponds to a game outcome.
34. (currently amended) The gaming device of claim 33, wherein the at least one of the plurality of display character means is three-dimensional.
35. (withdrawn) The gaming device of claim 33 further comprising sensor means for detecting the position of the at least one of the plurality of display character means.
36. (withdrawn) The method of claim 33 further comprising player input means in communication with the controller means, the player input means configured to allow the player to at least partially control the movement of the at least one of the plurality of display character means.
37. (currently amended) The ~~method~~ gaming device of claim 33 further comprising actuator means coupled to the at least one of the plurality of display character means, the actuator means configured to move the at least one of the plurality of display character means.

38. (withdrawn) A gaming apparatus comprising:
- (A) a gaming device configured to allow a player to place a wager and play a game of chance, the game of chance having a randomly determined game outcome;
 - (B) a display, wherein the display comprises a simulation of at least one hot dog.
39. (withdrawn) The gaming apparatus of claim 38 wherein the simulation comprises a display of a moving hot dog.
40. (withdrawn) The gaming apparatus of claim 38 wherein the simulation comprises a display of a plurality of hot dogs.
41. (withdrawn) The gaming apparatus of claim 40 wherein the simulation comprises a display of a pack of hot dogs.
42. (withdrawn) The gaming device of claim 38 further comprising a controller, the controller configured to cause a display related to the simulation of at least one hot dog.
43. (currently amended) The gaming apparatus of claim 1 wherein the at least one of the plurality of display characters is configured to move to its maximum moving range relative to other display characters to ~~indicate~~ display the at least one indicium representing the at least one prize.
44. (previously presented) The gaming apparatus of claim 1 wherein more than one of the plurality of display characters is configured to move to an extended position relative to other display characters, wherein each of the display characters in the extended position indicates an indicium representing a prize, wherein a player is awarded a mathematical combination of the prizes indicated by the display characters in the extended positions.

45. (currently amended) A gaming method comprising, but not necessarily all in order shown:
- (A) allowing a player to place a wager on a gaming device comprising a plurality of display characters and at least ~~[[one]]~~ a first indicium appearing on at least a first display character of the plurality of display characters;
 - (B) presenting a game to the player;
 - (C) randomly determining a game outcome; and
 - ~~(D) displaying at least a first indicium of the at least one indicium representing at least one prize; and~~
- ~~[[E]]~~D moving the at least ~~[[a]]~~ first display character of the plurality of display characters ~~[[to]]~~ from a first position of the first display character to a second position of the first display character relative to other display characters to ~~indicate~~ display the at least first indicium representing ~~[[the]]~~ at least one prize.
46. (currently amended) The method of claim 45 further comprising:
- ~~(A) displaying at least a second indicium of the at least one indicium representing at least one prize~~ moving at least a second display character of the plurality of display characters from a first position of the second display character to a second position of the second display character to display at least a second indicium representing at least one prize; and
 - ~~(B) moving at least a second display character of the plurality of display characters to a second position relative to other display characters to indicate the at least second indicium; and~~
- ~~[[C]]~~B awarding to the player a mathematical combination of the prizes ~~indicated~~

displayed by the first and second indicia of the at least first and second display characters, respectively.

47. (new) The method of claim 45 further comprising:
- (A) hiding the at least one indicium appearing on the at least one display character from a player when the at least one display character is in the first position; and
 - (B) displaying the at least one indicium appearing on the at least one display character to the player when the at least one display character is in the second position.
48. (new) The gaming apparatus of claim 1 wherein the at least one indicium appearing on the at least one display character is:
- (A) hidden from a player when the at least one display character is in the first position; and
 - (B) viewable by the player when the at least one display character is in the second position.
49. (new) The gaming device of claim 33 wherein the at least one display means appearing on the at least one display character means is:
- (A) hidden from a player when the at least one display character means is in the first position; and
 - (B) viewable by the player when the at least one display character means is in the second position.

THE AMENDMENT

Claims 1-3, 9, 17, 33, 34, 37 and 43-49 are in the case. Claims 47-49 are new. Claims 1, 17, 33-34, 36-37, 43 and 45-46 have been amended. Claim 19 has been cancelled. Claims 4-8, 10-16, 18, 20-32, 35-36 and 38-42 are currently withdrawn.

The amendment to claims 1 and 33 regarding the “display character comprising at least one indicium appearing thereon and the display character being moveable between at least a first position and a second position” is based on wording in claims 10 and 12 (currently withdrawn).

The amendment to claim 17 is based on claim 11 (currently withdrawn). The amendment to claim 34 is to correct a grammatical error that is apparent from its context. The amendment to claim 37 is to provide proper antecedent basis with amended parent claim 33. The amendment to claim 43 is to render the claim consistent with amended parent claim 1.

The amendment to claim 45 is based on wording in claim 10 (currently withdrawn) and the description at ¶[98]-[100] on pp 25-26 regarding Figures 11-13 in the original Specification. The amendment to claim 46 is based on the description at ¶[98]-[100] on pp 25-26 regarding Figures 11-13 in the original Specification.

Support for new claims 47-49 is based on the wording in claim 12 (currently withdrawn).

Based on Applicants’ election of species involving claim 3 (December 6, 2007), Applicants identify new claims 47-49 as readable upon the elected species according to MPEP §809.02(a).

Applicants respectfully submit that the Amendment does not introduce new matter and request that the Amendment be entered.